

USDC SDNY
DOCUMENT
ELECTRONICALLY FILE
DOC #:
DATE FILED #: 5/15/13

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
EIMONT BRONZINI, : Civil Action No. **11 Civ. 2096 (KBF)**
 :
 Plaintiff, :
 :
 - v - :
 :
 : **MOTION TO ALTER OR**
 : **AMEND JUDGMENT AND**
 : **TO OPEN AS A MUST**
 : **PLAINTIFF'S CASE WITH**
 : **307 EXHIBITS FOR FAIR**
 : **CONSIDERATION**
 :
 Defendant. : **(Rule 59(e) of the**
 : **Rules of Civil Procedure)**
 :
 ----- X **BRIEF**

Total: 7 pages

Plaintiff's Rule 59(e) Motion to Alter or Amend Judgment

I, Eimont Bronzini, Plaintiff in the case, insistingly requesting You, Your honor, judge Forrest to reconsider your Final Judgment and to alter or amend your decision in closing the case which must be considered as a miscarriage of justice occurred in the case.

Plaintiff move this Court pursuant to Rule 59(e) of the Federal Rules of Civil Procedure for an order altering or amending the judgment entered on April 17, 2013 and must be dismissed Defendant's Motion with reverting an incorrect decision in Opinion and Order,

because there were provided 307 supportive sufficient admissible evidences used as Exhibits in Plaintiff's local Civil Rule 56.1 Statement of Facts with 39 paragraphs, based on notarized statements from Affidavit of Eimont Bronzini, and together with Plaintiff's Memorandum of Law/Rebuttal in Support of His Opposition to Classic Security, LLC's Right For motion For Summary Judgment—defeated all defendant's provided facts as lies and revealed judge's K.B. Forrest intentional refusal to even open Plaintiff's case for fair or any review through committing fraud in misstatements and lies and committing intentional violation of the Rule 56.1 of the Federal Rules of Civil Procedure, which provided that Court **MUST** consider **BOTH SIDES** cases in light by **RECORD EVIDENCE** of supported admissible evidences.

Because judge K.B. Forrest from the beginning concluded that ...*"the Court assumes familiarity with the facts of this case and here recites only those facts relevant on this motion. All facts are undisputed by admissible record material unless otherwise noted."* and secretly, in smallest letters at the bottom continued... *"Plaintiff purports dispute almost every fact put forward by defendant.... Most of of these disputes, however, are not supported by any admissible record evidence. This Opinion only those disputes that are supported by record evidence"*—and naturally or most believable that she (KBF)intentionally **FORGOT** to open for fair or any review for consideration in the case Plaintiff's Local Civil Rule 56.1 Statement of Facts Court must reconsider in Opinion and Order the final decision in the light of facts that:

There were provided to the Court by **RECORD EVIDENCE** a total of **307 pages** as *Exhibits* from which there were selected by **RECORD EVIDENCE** total of **193 pages** of *Exhibits* as the most sufficient and the most crucial evidences in support Plaintiff's

Local Civil Rule 56.1 Statement of Facts in numbered by **RECORD EVIDENCE**

total of **22 paragraphs** :

4.- **Exhibit #:** 19;

5.- **Exhibits #:** 21; 22; 23; 24; 25; 26; 27; 2;

8.- **Exhibits #:** 29; 30; 217;

9.- **Exhibits #:** 29; 21; 22; 23; 24; 25; 26; 27; 2; 202; 203; 3; 210; 5; 4;

10.- **Exhibits #:** 21; 22; 23; 24; 25; 26; 27;

11.- **Exhibits #:** 202; 203; 3; 205; 206; 212;

16.- **Exhibits #:** 21; 22; 23; 24; 25; 26; 27; 2; 2; 202; 203; 210; 4; 5; 28; 21; 22; 23; 24;
25; 26; 27;

17.- **Exhibits #:** 1; 192; 193; 194;

20.- **Exhibits #:** 192; 193; 194; 192; 192; 193; 194; 21; 22; 23; 24; 25; 26; 27; 2;

21.- **Exhibits #:** 192; 193; 194; 31;

22.- **Exhibits #:** 208; 181; 198; 199; 200; 198; 199; 200; 217;

23.- **Exhibits #:** 192; 193; 194; 33; 198; 217;

25.- **Exhibit #:** 307;

27.- **Exhibits #:** 89; 45; 46; 47; 48; 49; 50; 51; 52; 53; 54; 55; 56; 57; 58; 59; 60; 61; 62;
63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 72; 73; 74; 75; 76; 77; 78; 79; 80;
81; 82; 87;

28.- **Exhibit #:** 89;

30.- **Exhibits #:** 45; 46; 47; 48; 49; 50; 51; 52; 53; 54; 55; 56; 57; 58; 59; 60; 61; 62; 63;
64; 65; 66; 67; 68; 69; 70; 71; 72; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81;
82; 87;

- 31.- **Exhibits #:** 192; 193; 89; 88;
- 34.- **Exhibits #:** 159; 160; 170; 171;
- 35.- **Exhibits #:** 159; 160;
- 36.- **Exhibits #:** D; [Eimont tr. Errata page 181, line 19; 20; 21; 22; 23; 24; 25];
- 37.- **Exhibits #:** 306; 170; 171;
- 39.- **Exhibits #:** 14; 15; 16; 17; 18; 163; 164; 165; 166; 167; 284; 286; 285; 282; 283;
281;

Because judge K.B.Forrest naturally or most believable that intentionally **FORGOT** to open for fair or any review for consideration in the case of notarized **Affidavit of Eimont Bronzini** Court must reconsider in **Opinion and Order** the final decision in the light of facts that;

There were provided to the Court by **RECORD EVIDENCE** a total of **307 pages of Exhibits** from which by **RECORD EVIDENCE** there were selected **112 pages of Exhibits** which were used, pointed as the most sufficient and the most crucial evidences in support of **Affidavit of Eimont Bronzini** by **RECORD EVIDENCE** in 17 numbered paragraphs:

- 5.- **Exhibits #:** 21; 22; 23; 24; 25; 26; 27; 2; 2; 202; 203;
- 6.- **Exhibits #:** 210; 4; 5;
- 8.- **Exhibit #:** 28;
- 12.- **Exhibits #:** 21; 22; 23; 24; 25; 26; 27;
- 13.- **Exhibits #:** 1; 192; 193; 194;
- 14.- **Exhibit #:** 1;
- 15.- **Exhibits #:** 192; 193; 194; 192; 193; 194;

- 16.- **Exhibits #:** 21; 22; 23; 24; 25; 26; 27; 2;
- 17.- **Exhibits #:** 192; 193; 194;
- 18.- **Exhibit #:** 31;
- 20.- **Exhibits #:** 181; 198; 199; 200; 198; 199; 200; 217;
- 21.- **Exhibits #:** 192; 193; 194; 307; 33; 198; 217;
- 30.- **Exhibits #:** 45; 46; 47; 48; 49; 50; 51; 52; 53; 54; 55; 56; 57; 58; 59; 60; 61; 62;
63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 72; 73; 74; 75; 76; 77; 78; 79;
80; 81; 82; 83; 84; 85; 87;
- 34.- **Exhibits #:** 80; 192; 193; 194;
- 35.- **Exhibit #:** 89;
- 36.- **Exhibits #:** 159; 160; 170; 171; 172; 173; 174; 175; 176; 177; 178;;
- 39.- **Exhibits #:** 282; 283; 284; 285; 286; 287; 300; 301; 302; 303; 304; 305; 298;

Because judge K.B.Forrest naturally or most believable that intentionally **FORGOT** to open for fair or any review for consideration in the case **Affidavit of Eimont Bronzini** Court must reconsider in **Opinion and Order** the final decision in the light of facts that;

There were provided to the Court by **RECORD EVIDENCE** a total of **307 pages of Exhibits** from which by **RECORD EVIDENCE** there were selected **61 pages of Exhibits** which were used, pointed as the most sufficient and the most crucial evidences in support of **Plaintiff's Memorandum of Law/Rebuttal in Support of His Opposition to Classic Security,LLC's Right For Motion For Summary Judgment by RECORD EVIDENCE** through context of **19 pages**:

Exhibits #: 6; 7; 9; 21; 22; 23; 24; 25; 26; 27; 2; 8; 28; 299; 21; 22; 23; 24; 25; 26; 27; 3; 202; 203; 4; 5; 210; 208; 208; 217; 21; 22; 23; 24; 25; 26; 27; 212; 4; 5; 210; 202; 203; 159; 160; # E; 28; 284; 285; 286; 287; 283; 284; 285; 286; 287; 163; 164; 165; 167; 28.

All official documents listed above in amount of 307 as *Exhibits* were submitted by Plaintiff as admissible evidences from Criminal Court, Fire Department's notarized Subpoena, Classic's official document entries from Log Books, Classic's official Post Orders, Classic's Official Pay-checks, Classic's Official Notices, Official Rules of City of New York (RCNY), Fire Department's of City of New York (FDNY) Rules and Regulations, FDNY official Certificates, Official E-mails, and other copies of other official sources – which could be considered as the only documents as admissible evidences in this case.

Not one Defendant's personal or confidential E-mails could be considered as admissible evidence in this case, because they all were used for personal use only and all are without any official register, or have never been shown to the Plaintiff, during his employment with Classic, in any official form, such as Command Discipline, or other forms of warning, which could explain African – American Classic's Director of Operations R. Jessamy's intentional severe discrimination and retaliation based on race, national origin and age committed against Plaintiff E. Bronzini and his wife L. Bronzini (Classic's employee).

Judge K.B. Forrest's one way so visibly intentional falsifying in her Opinion and Order all law findings on the only **4 (four) facts** found by her from total of 36 pages of **Plaintiff's Local Civil Rule 56.1 Statement of Facts** from which **22 paragraphs** were supported with total of **193 pages of Exhibits** as the most sufficient and the most crucial

admissible evidences in support with Record Evidence (listed above), found the only one worth to citate confidential E-mail: (Id. ¶ 52; id. Ex. 33.), which was originally: "I have numerous complaints regarding the 4-12 guard. And I cannot keep him around. He is not working well with anyone.", but Judge K.B. Forrest intentionally in fraudulent way deleted original context and incorporated [Bronzini] instead of unknown "4-12 guard" for the purpose to foolish justice.

CONCLUSION

For the forgoing reasons, Plaintiff E. Bronzini respectfully submits that this Court should alter or amend in reconsidering Judge's K. B. Forrest Opinion and Order and do not grant Classic's Motion for Summary Judgment dismissing Plaintiff's Complaint in its entirety, and award Plaintiff such and other and further relief as is just and proper.

I declare under penalty of perjury that the forgoing is true and correct.

Date: Brooklyn, New York

May 15th, 2013

By: E. Bronzini

Plaintiff Eimont Bronzini

Included please find total of 7 (seven) pages of *Plaintiff's Motion to Alter or Amend Judgmen (Rule 59(e)* together submitted with *Plaintiff's Local Civil Rule 56.1 Statement of Facts* (36 pages), *Affidavit of Eimont Bronzini* (18 pages), *Plaintiff's Memorandum of Law/Rebuttal in Support of His Opposition to Classic Security, LLC's Right For motion For Summary Judgment* (19 pages), together with *Plaintiff's Exhibits in Opposition to Motion for Summary Judgment* (307 pages).